

VZCZCXRO1795  
PP RUEHFL RUEHKW RUEHLA RUEHROV RUEHSR  
DE RUEHYE #0553/01 1891427  
ZNY CCCCC ZZH  
P 071427Z JUL 08 ZDS  
FM AMEMBASSY YEREVAN  
TO RUEHC/SECSTATE WASHDC PRIORITY 7777  
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE PRIORITY  
RUEHLMC/MILLENNIUM CHALLENGE CORPORATION WASHINGTON DC PRIORITY  
RHEHNSC/NSC WASHDC PRIORITY  
RUEAWJA/DEPT OF JUSTICE WASHDC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 04 YEREVAN 000553

SIPDIS

///// ZDS - CORRECTED PARA MARKINGS - ZDS /////

DEPARTMENT OF STATE FOR A/S KRAMER AND DRL, FOR DAS BRYZA  
AND EUR/CARC, EUR/PPD  
NSC FOR MARIA GERMANO  
DEPARTMENT OF JUSTICE FOR CARL ALEXANDRE AND DOJ/OPDAT

E.O. 12958: DECL: 07/06/2018

TAGS: [PGOV](#) [PHUM](#) [PREL](#) [KDEM](#) [KJUS](#) [OTRA](#) [OVIP](#) [AM](#)

SUBJECT: A/S KRAMER URGES ARMENIAN REFORM; AUTHORITIES  
STONEWALL

YEREVAN 00000553 001.4 OF 004

Classified By: CDA Joseph Pennington, reasons 1.4 (b,d).

-----  
SUMMARY  
-----

¶1. (C) During his June 23-25 visit to Yerevan, DRL A/S Kramer pressed authorities on steps to help "put Armenia back on a democratic path." GOAM officials refuted Kramer's view of Armenia's political crisis, denied the existence of political prisoners, and defended their violent and repressive response to the March 1-2 events. Figures outside the government assailed the authorities for their lackluster response to the crisis, decrying "imitation reforms" that will cease once the international community eases its pressure on Armenia. END SUMMARY.

-----  
KRAMER TO AUTHORITIES: GET ON A DEMOCRATIC PATH  
-----

¶2. (C) During his meetings with Prime Minister Tigran Sargsian, Justice Minister Gevorg Danielian, and Prosecutor General Aghvan Hovsepian, A/S Kramer urged the GOAM to embark on urgent reforms to "put Armenia back on a democratic path" following its disputed presidential election and violent post-election period. Among the steps he urged the authorities to take were 1) a credible investigation into the March 1-2 violence that left at least ten citizens dead; 2) full restoration of freedoms of assembly and media; 3) release of individuals detained for expression of their political views; and 4) a real political dialogue between the authorities, the opposition, and civil society. A/S Kramer reiterated these points during his June 25 pre-departure press conference. Kramer also urged authorities to put an end to Armenian Public Television airing of anti-Semitic attacks against ex-President Levon Ter-Petrossian and his wife, saying such attacks risked creating a dangerous precedent in Armenia.

-----  
OMBUDSMAN: ARMENIAN MENTALITY IS TO BLAME  
-----

¶3. (C) Armenia's Human Rights Defender (Ombudsman) Armen Harutiunian received A/S Kramer and Emboffs in his office alone. The government's ombudsman began the meeting by

stating he was glad Kramer met with him before he met with the authorities, for "you won't get objective information from them." Harutiunian attributed the country's ongoing political crisis, and in particular the authorities' woeful response to it, to "the Armenian mentality." He asserted that Armenia's political culture, which is dominated by abusive economic monopolies and "monopolistic political centers," explains both the lack of civil liberties and the "apathy" that this culture instills in Armenia's citizens.

14. (C) Harutiunian added that "until we dismantle these monopolistic centers in our country, there is no point in even talking about human rights" or democracy. Harutiunian said that while he hoped the new president "will make progress" in democratization, the absence of checks and balances in Armenia's government structure conspired against any breakthroughs. For his part, Harutiunian said he would from now on focus his office's work on spotlighting the most critical areas for reform, using ad-hoc reports on subjects such as the rights to a free trial and free expression to raise the public's and authorities' awareness on the key foundations for a democratic society.

15. (C) In describing the authorities' lackluster response to the political crisis, Harutiunian said "nobody" trusts the parliamentary commission formed in mid-June to investigate the March 1-2 events. He also fretted that "people (speciously) charged with serious crimes" still remain in jail. He noted that "in three months (since the early March events), nothing specific has been done." Harutiunian declared that "some witnesses in (March 1-2) court cases have been pressured to provide false testimony, while some of the detained have been convicted on police testimony" alone. Harutiunian concluded that the net impact of the authorities' woeful response is "deepening the crisis that we have now."

-----  
YEREVAN 00000553 002.4 OF 004

HUMAN RIGHTS ACTIVISTS HIGHLY SKEPTICAL  
-----

16. (C) A/S Kramer met with three of Armenia's leading human rights activists, Mikael Danielian of the Helsinki Association, Artur Sakunts of the Helsinki Citizens' Assembly of Vanadzor, and Mikhail Baghdasarian of the Civil Society Prison Monitoring Board. All three doubted that the ongoing investigations and commission established to investigate March 1-2 would be credible, let alone have a healing effect on society. They blamed Armenia's too-powerful executive branch for years of election fraud, interference in the judiciary, and persecution of citizens for expressing their political views. The one perservely positive development they found in March 1-2 was that Armenia's authoritarian governance system "was finally exposed" for everyone to see. The activists said attacks on human rights activists have always occurred, and that the May 21 attack on Danielian and May 28 attack on a youth movement leader were just the latest in a long chain of attacks on people "merely doing our jobs." The three agreed that political violence had proliferated with impunity: investigations into murders, assaults and electoral fraud invariably end inconclusively. They thanked the USG and European institutions for supporting their work, and warned that "the authorities would eat us up" if not for international support. In a separate meeting, Kramer also spoke with the spouses of several detained prominent opposition leaders.

-----  
LTP: "WE COULD LOSE OUR COUNTRY"  
-----

17. (C) Joined at his home by advisers Levon Zurabian and Avetis Avakian, former President Levon Ter-Petrosian (LTP) warned that if current authorities continued in their "kleptocracy,...we could lose our country, both morally and

physically." LTP said that his ouster in 1998, followed by the October 1999 parliament assassinations, had erased all the checks and balances restraining Armenia's executive branch, and that former President Kocharian had spent his ten years in office eradicating any political opposition, which is why LTP chose to contest the February election.

18. (C) LTP asserted that the authorities' policies of political persecution and intolerance were to blame for their lack of legitimacy. He said Sargsian will never be a legitimate leader in the public's eyes, and vowed to keep up his non-recognition of the election result and Sargsian's presidency. LTP said then-President Kocharian "pulled a Mugabe" in his violent March 1 crackdown and ensuing state of emergency (SOE), contending that Kocharian had no other way to hold on to power but through the use of force. He said Kocharian out of fear.

19. (C) LTP went into great detail on the March 1-2 events, rebutting the authorities' claim that LTP supporters initiated the violence. He said the authorities were the first to resort to force, that they did so without warning, and that the carnage on March 1 had taken place away from the areas where his supporters had assembled. LTP wondered aloud why no oppositionists have been charged to date with firing on the police if the authorities -- as they say they have -- recorded all the events on tape. He also wondered why not a single police officer had been charged for his actions during the clashes, why no criminal cases into the ten deaths had been launched, and why 86 of his supporters were still in jail.

110. (C) LTP told Kramer he understood the USG's expectations for him to enter into dialogue, but said he couldn't do so until all of his supporters were released from jail. He said that ultimately Armenians themselves must resolve the crisis and that "nobody will do it for us," but they appreciated any help that Washington could provide (ostensibly in the form of pressure on the authorities). Kramer asked LTP to think about his legacy, and the role he could play in defusing the crisis and leaving behind a stronger political opposition. Kramer also asked LTP to tone down his provocative public rhetoric that made it harder for the authorities to enter into dialogue --specifically the Mongol-Tatar slur about which the prime minister (?) had complained to Kramer. LTP agreed to this, but said he would continue to call the authorities a "banditocracy."

YEREVAN 00000553 003.4 OF 004

111. (C) LTP also called attention to the fact that he is "leaving room to Serzh to talk to me," and that his current rhetoric is meant to separate President Sargsian from Kocharian. LTP criticized the credibility of the new parliamentary commission tasked to study the March 1-2 events, and opined that only an international investigation -- "along the lines of the one conducted into the death of Benazir Bhutto" -- would truly get to the facts. He also asked the USG to support getting the A1 Plus independent TV station back on the air, adding that "it is not our station, but the opposition should have at least one" station on the airwaves to counter the 15 pro-government ones currently broadcasting. LTP thanked Kramer for his concerns about the recent anti-Semitic attacks against him and his family, but said he had chosen not to respond to them lest they get blown out of proportion more than they already had.

-----  
JUSTICE OFFICIALS STICK TO THEIR GUNS  
-----

112. (C) Prosecutor General Hovsepian and his protege, Minister of Justice Danielian, disputed Kramer's assessment of their lopsided handling of the March 1-2 events and aftermath. Hovsepian grew visibly upset when Kramer raised the issue of the cause of death of the ten victims -- the

majority of whom died by gunshots to the skull -- and the fact that the authorities had not launched criminal cases into the killings. Awkwardly arguing that "it was dark and chaotic that night," Hovsepien said prosecutors were encountering problems piecing together the details and reasons behind the deaths, particularly the ballistic forensics, at which point Hovsepien said he would welcome US assistance "to help us identify the shooters and start cases against them."

¶13. (C) Hovsepien grew agitated when Kramer asked if the 64 guilty pleas to date were made "involuntarily." (NOTE: Approximately 130 oppositionists were detained and charged for their alleged participation in the March 1-2 events, and according to Hovsepien, almost half have pled guilty. END NOTE.) Flummoxed, Hovsepien blurted out, "We'll tell them to confess less, then!" Hovsepien argued -- implausibly -- that the justice system's performance on these cases has contributed to public confidence in the government.

¶14. (C) Justice Minister Gervorg Danielian deflected Kramer's question about why virtually all of those charged for crimes related to March 1-2 violence were opposition supporters. He also dismissed Kramer's recommendation that the opposition be given a greater presence and deciding voice in the parliamentary commission of inquiry into the March 1-2 events, arguing this would give the opposition more weight than it deserved. Kramer warned Danielian that proceeding with a commission whose composition or voting regime -- LTP's theoretical representative would not be able to vote -- didn't have public credibility would be "a waste." Danielian was nonplussed. Kramer also raised U.S. concerns about the recent spate of attacks on human rights and youth political activists, and asked Danielian to go on the record with a condemnation of the attacks and his support for civil society. Danielian regretted the attacks, but resolutely stated that "they had nothing to do with politics -- all the 'insults' were on the personal level." The Minister then joked in gallows humor that the air gun attack on Mikael Danielian could never deter the human rights activist anyway -- "not even a machine gun attack would scare Danielian."

-----  
PM SARGSIAN: "WE HAVE NO POLITICAL PRISONERS!"  
-----

¶15. (C) Calling Kramer's assessment of the disputed election and its violent aftermath "a rather tough evaluation," Prime Minister Tigran Sargsian acknowledged that "we have serious problems, and we don't have enough resources to solve all of them." This is why, the PM said, he was focusing his government's work on developing an economy that would "provide sound foundations for society's development," and for the PM this meant first reforming the customs and tax administrations. Sargsian pointedly declared -- twice -- that "freedom of speech and freedom of assembly are not fundamental issues for us now -- establishing a competitive

YEREVAN 00000553 004.4 OF 004

economic environment is." He then said "we have the impression that you (the USG) are more interested in democracy's establishment than Armenians themselves are."

¶16. (C) Sargsian repeatedly alluded to America's early 20th century experience with organized crime, arguing that until the state could level the economic playing field so that every citizen had an opportunity to benefit from participation in the economy, chaos in both the economic and political spheres would prevail. He said this was the reason Armenia was losing bright minds to the United States, frustrated as they were by their economic disenfranchisement in Armenia. Sargsian said that by instilling equal economic values, citizens would also enjoy greater civil liberties such as freedom of speech, which he said was important to the institutions he planned to reform, singling out again the tax and customs administrations.

¶17. (C) Sargsian unflinchingly denied the incarceration of political prisoners by the authorities, emphatically declaring "We have no political prisoners in Armenia ) none!" He derided the accusation as a ploy by the opposition, calling it "a good slogan for them with which to defend their interests." If the protesters on March 1 possessed firearms, or were given them, Sargsian stated, "what should we do?" The PM said the release of prisoners that Kramer was calling for could serve as "a bad precedent," and that it would send the wrong signal "that the arrests were politically motivated." Sargsian then openly opined that "after their cases are over," the detained "can appeal to the European Court of Human Rights," which is "a better way in my opinion to pursue their cases than instructing the Prosecutor General and Armenian law to interfere in the cases artificially."

¶18. (C) The PM assured Kramer that he would personally look into the issue of anti-Semitism on Armenian Public Television, and called the incidents "very condemnable." But in a swipe at LTP, who has repeatedly referred to Presidents Kocharian and Sargsian as corrupt leaders of a Mongol-Tatar clan, the PM joked that "it must be better to be a clan leader of Mongol-Tatars than the victim of anti-Semitic attacks." Sargsian then tried to downplay the importance of the attacks, attesting that Armenian-Israeli ties were being strengthened through new initiatives, such as the GOAM's decision to honor Israel's recent 60th birthday with the dedication of a Yerevan street and the planting of 60 trees on it. (NOTE: The Jewish community leader has told us the exact opposite: The GOAM declined to support the initiative, despite entreaties by Armenia's Jewish community, which went ahead with its own anniversary celebration instead. END NOTE.)

-----  
MEDIA LEADERS SKEPTICAL ABOUT ROAD AHEAD  
-----

¶19. (C) At a lunch with independent media directors, Kramer heard skepticism about the new president and his stated commitment to democratic reforms. While they acknowledged a recent liberalization on the TV airwaves, they attributed it to international pressure, especially from the Parliamentary Assembly of the Council of Europe's Resolution 1609. They also sounded a highly skeptical note on the authorities' declared intention to reform the controversial National Commission on Television and Radio, alleging the authorities would continue to use the regulatory agency to control political content on Armenia's approximately 20 national TV stations, almost all of which are loyal to the authorities.

¶20. (U) A/S Kramer did not have the opportunity to clear this message.  
PENNINGTON